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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,196	01/21/2004	Kia Silverbrook	RRA08US	1335
24011	7590	04/19/2006	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, NSW 2041 AUSTRALIA			NGUYEN, LAMSON D	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

ET

Office Action Summary	Application No.	Applicant(s)	
	10/760,196	SILVERBROOK, KIA	
	Examiner	Art Unit	
	Lamson D. Nguyen	2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment dated 01/26/06.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claim 1 is rejected under 35 U.S.C. 102(a) as being anticipated by Martinez-Pacheco (US 2004/0145683).

Martinez-Pacheco teaches a printer cartridge comprising:

Claim 1:

- a removable cartridge including a printing fluid storage, a printhead in fluid communication with the fluid storage, an air inlet, and one or more conduits arranged to direct air from the air inlet over the printhead (figure 3 teaches cartridge 100, fluid storage 101, air inlet 113, fitment 112 vents air above printhead 103)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Martinez-Pacheco in view of Ishizawa (US 2002/0089576).

Martinez-Pacheco teaches all claimed features of the invention with the exception of:

- wherein the air inlet is configured to mate with a complementary formation of the inkjet printer
- wherein the air is supplied to the air inlet by said complementary formation of the inkjet printer, which is in communication with an air supply source

It is well-known in the art to have a mating complementary formation between an air inlet and the inkjet printer, as taught by Ishizawa (figure 12, air inlet 47 in complementary formation with cartridge holder 8 which is part of the inkjet printer in figure 1. Ishizawa also teaches an air supply supplying air to the air inlet via the complementary formation (figure 12, paragraph 267).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of Martinez-Pacheco to incorporate the teaching of air inlet formation and air supply taught by Ishizawa for the purpose of permitting inflow of ink (paragraph 272).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez-Pacheco in view of Hermanson.

Martinez-pacheco teaches all claimed features of the invention except for a page-width printer.

It is well-known in the art of inkjet printer that a serial-type printhead can work equally well in a page-width printhead as taught by Hermanson (col 6, lines 45-50).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of Martinez-Pacheco to incorporate a page-width printhead taught by Hermanson for the purpose of achieving greater print throughput.

Response to Arguments

Applicant's arguments filed 01/26/06 have been fully considered but they are not persuasive.

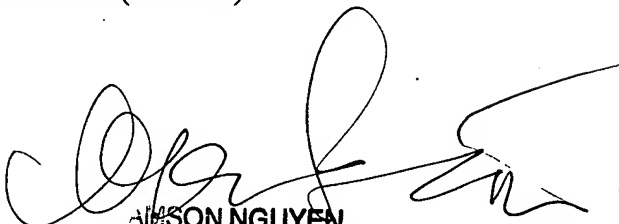
The applicant argues that Martinez-Pacheco does not teach "air is directed over, that is across, the printhead in order to maintain the printhead free of dust and particulate matter". The examiner disagrees. Martinez-Pacheco's air inlet does direct air directly over the printhead 103. As for the purpose of maintaining the printhead free of dust and other particles, the examiner likes to point out since the claims are apparatus claims, and not method claims, as long as a prior art has established the same structure as the claimed structure, the prior then meets the claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamson D. Nguyen whose telephone number is 571-272-2259. The examiner can normally be reached on 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Talbott can be reached on 571-272-1934. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ANSON NGUYEN
PRIMARY EXAMINER
04/18/06